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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/542,274	04/04/2000	James J. Crow	044577.0005	5237
7590	06/10/2004		EXAMINER	
D'ANN MAYLOR RIFAI CAMPBELL STEPHENSON ASCOLESE, LLP 4807 SPICEWOOD SPRINGS RD. BLDG. 4, SUITE 201 AUSTIN, TX 78759			NGUYEN BA, HOANG VU A	
			ART UNIT	PAPER NUMBER
			2122	15
DATE MAILED: 06/10/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/542,274	CROW ET AL.	
	Examiner	Art Unit	
	Hoang-Vu A Nguyen-Ba	2122	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 09 April 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-23 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. This action is responsive to Applicants' response, filed April 09, 2004 in response to non-final Office action dated November 24, 2000 and interview summary dated March 18, 2004.
2. Claims 1-23 remain pending.

Response to Amendments

3. Per Applicants' request, claims 1, 6-10, 14-16, 19-20 and 22 have been amended.
4. The reference submitted by Applicants in the Information Disclosure Statement filed concurrently with the above response has been considered.

Response to Arguments

5. Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

7. Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,564,377 to Jayasimha et al. ("Jayasimha").

Claim 1

Jayasimha discloses *an apparatus* (see at least Figure 3, item 300) *storing a computer-readable module* (e.g., “object registration system,” 9:19-20) *for use in a host computer, where the module comprises:*

a functional component for providing a predetermined programming functionality (see at least Figure 4 and related discussion in the specification);

an installation component that manages installation of the functional components (see at least Figure 4 and related discussion in the specification);

a preprocessing interface for providing introspective information about any requirements of the functional component in response to a request from the host computer (see at least Figure 5 and related discussion in the specification).

Claim 2

The rejection of claim 1 is incorporated. Jayasimha further discloses that the preprocessing interface further comprises *a command sequence that identifies the functional component* (see at least Figure 5 and related discussion in the specification).

Claim 3

The rejection of claim 1 is incorporated. Jayasimha further discloses that the preprocessing interface further comprises *executable object code that identifies the functional component* (see at least Figure 5 and related discussion in the specification).

Claim 4

The rejection of base claim 1 is incorporated. Jayasimha further discloses *the request from the host computer occurs as part of an installation of the module in the host computer* (see at least 3:49-63).

Claim 5

The rejection of claim 1 is incorporated. Jayasimha further discloses that *the request from the host computer occurs when the module is required by a second module stored at the host computer* (see at least 3:49-63).

Claim 6

The rejection of base claim 1 is incorporated. Jayasimha further discloses that *the introspective information provided by the preprocessing interface comprises version information for the module* (see at least 12:25-64).

Claim 7

The rejection of claim 1 is incorporated. Jayasimha further discloses that *the introspective information provided by the preprocessing interface comprises identification of an external module required by the functional component* (see at least Figure 5 and related discussion in the specification; 17:24-35).

Claim 8

The rejection of claim 1 is incorporated. Jayasimha further discloses that *the introspective information provided by the preprocessing interface comprises identification of the type of functional component* (see at least Figure 5 and related discussion in the specification; 11:5 - 12:20).

Claim 9

The rejection of claim 1 is incorporated. Jayasimha further discloses that *the introspective information provided by the preprocessing interface comprises identification of at least a first resource at the host computer that will be modified by the functional component* (see at least Figure 5 and related discussion in the specification; 11:5 - 12:20).

Claim 10

Jayasimha discloses *a computer system* (see at least Figure 1) *comprising a first computer* (see at least Figure 3), *where the first computer comprises:*

a plurality of plugin modules, including at least a first plugin module comprised of an introspection interface, an installation program component and a program behavior portion (see at least Figure 5 and related discussion in the specification); and

a harness for evaluating the introspection interface of the first plugin module to determine if any resources are required for use of the program behavior portion of the first plugin module (see at least Figure 4, block 472; Figure 6; and related discussion in the specification).

Claim 11

The rejection of claim 10 is incorporated. Jayasimha further discloses that *a second computer connected to the first computer, where the second computer includes a first resource required by the first plugin module that is transferred to the first computer upon request by the plugin installation program component* (see at least Figure 1, any of the following blocks: 110, 112, 114, 116; and related discussion in the specification).

Claim 12

The rejection of claim 10 is incorporated. Jayasimha further discloses *a second computer connected to the first computer, where the second computer includes a first resource required by the first plugin module that is transferred to the first computer upon request by the harness* (see at least Figure 1, any of the following blocks: 110, 112, 114, 116; and related discussion in the specification).

Claim 13

Claim 13 contains features similar to those in claims 5 and 6. As a result, this claim is rejected for the same reasons.

Claim 14

The rejection of claim 10 is incorporated. Forbes further discloses:

a loader component for loading a plugin module comprised of an introspection interface and a program behavior portion (see at least Figure 4, block 472; Figure 6; and related discussion in the specification);

a validator component for interfacing with the introspection interface to identify any resources required by the plugin module (see at least Figure 4, block 472; Figure 6; and related discussion in the specification); and

a finder component for surveying the computer system for any resources identified by the validator component (see at least Figure 4, block 472; Figure 6; and related discussion in the specification).

Claim 15

The rejection of claim 10 is incorporated. Claim 15 recites the same feature in claim 2; therefore, the same rejection is applied.

Claim 16

The rejection of claim 10 is incorporated. Claim 16 recites the same feature in claim 4; therefore, the same rejection is applied.

Claim 17

The rejection of claim 10 is incorporated. Jayasimha further discloses *wherein the computer system is a client/server system and the first plugin module is a client plugin module* (see at least Figure 1 and related discussion in the specification).

Claim 18

The rejection of claim 10 is incorporated. Jayasimha further discloses *wherein the computer system is a client/server system and the first plugin module is a server plugin module* (see at least Figure 1 and related discussion in the specification).

Claim 19

Jayasimha discloses *a method of preprocessing a software module comprised of an interface and a program portion, comprising:*

receiving a first software module (see at least Figure 6, step 601 and related discussion in the specification);

querying the interface of the first software module to identify any resources required by the program module (see at least Figure 6, steps 602, 603, 604, 605 and related discussion in the specification); and

installing the first software module if all resources required by the program portion are available (see at least Figure 6, steps 606-608 and related discussion in the specification).

Claim 20

The rejection of claim 19 is incorporated. Jayasimha further discloses *retrieving any resources required by the program portion that were identified as a result of querying the interface prior to invocation of the first software module* (see at least Figure 6, steps 604-608; Figure 4; Figure 5; and related discussion in the specification).

Claim 21

The rejection of claim 19 is incorporated. Claim 21 recites the same principle of retrieving resources recited in claim 20, whether it is a program portion or an installation portion of a software module. As a result, this claim is rejection for the same reasons.

Claim 22

The rejection of claim 19 is incorporated. Claim 22 recites the same feature in claim 5; therefore, the same rejection is applied.

Claim 23

The rejection of claim 19 is incorporated. Jayasimha does not specifically disclose *connecting to a remote computer over a telecommunication network and downloading the first software module from the remote computer* (see at least Figure 1 and related discussion in the specification).

Conclusion

8. Applicants' amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP §

706.07(a). Applicants are reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS from the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Antony Nguyen-Ba, whose telephone number is (703) 305-0103. The examiner can normally be reached on Tuesday - Friday from 6:00 – 4:15 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam, can be reached at (703) 305-4552.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Common Fax Number (703) 872-9306



ANTONY NGUYEN-BA
PRIMARY EXAMINER

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June 2, 2004

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